

**Enrolled Minutes of the Eightieth Regular or Special Meeting
For the Twenty-Sixth Highland Town Council
Regular Meeting
Monday, March 28, 2011**

Study Session. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 28, 2011 at 6:35 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the imminent agenda of the regular meeting.
2. The Town Council discussed the wage and salary ordinance amendment exhibited in proposed Ordinance No. 1491.1375-Q.

The study session ended at 6:59 O'clock p.m.

Regular Meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, March 28, 2011 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Brian J. Novak, presided and the Town Clerk-Treasurer was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Council Members Bernie Zemen, Mark Herak, Dan Vassar, Brian Novak, and Konnie Kuiper. The Town Clerk-Treasurer Michael Griffin was present. A quorum was attained.

Additional Officials Present: Rhett Tauber, Town Council Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; William R. Timmer, CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also Present: Ed Dabrowski, IT Director; was also present.

Minutes of the Previous Session

The minutes of the regular meeting of 14 March 2011 were approved by general consent.

Appointments

• **Statutory Boards and Commissions**

Executive Appointments made by Town Council President

Legislative or Fiscal Body Appointments made by Town Council

Executive Appointments:

3. **Shared Ethics Advisory Commission, Shared Ethics Advisory Commission:** (1) Made by Town Council president and affirmed by Town Council. (*Successor to Rev. Dr. L. Fassett who chose to not be reappointed*) (4 year term)

The Town Council President announced his nomination of **Rev. David Trexler**, 3047 Lakeside Drive, Highland, Pastor of Gloria Dei Lutheran Church, for the Shared Ethics

Commission. Councilor Herak moved to affirm and concur in the appointment. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The appointment was affirmed and perfected.

Unfinished Business and General Orders:

1. **Proposed Ordinance No. 1490:** An Ordinance to Amend Sections of Chapter Thirty-Two of the Highland Municipal Code, Particularly Amending Meeting time provisions for the Traffic Safety Commission, Pursuant to IC 36-1-3 et seq. and other relevant Statutes..

Councilor Herak introduced proposed Ordinance No. 1490 and moved for its consideration on the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Ordinance could be considered.

Councilor Herak and moved for the adoption of Ordinance No. 1490 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Ordinance was adopted.

**Ordinance No. 1490
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND SECTIONS OF CHAPTER THIRTY-TWO of the HIGHLAND MUNICIPAL CODE, PARTICULARLY AMENDING MEETING TIME PROVISIONS FOR THE TRAFFIC SAFETY COMMISSION, PURSUANT TO IC 36-1-3 ET SEQ. AND OTHER RELEVANT STATUTES.

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon all local units the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, I.C. 9-21-1 *et sequitur* authorizes the Town of Highland, through its Town Council as a local authority to adopt local regulations regarding traffic; and

WHEREAS, I.C. 9-21-1-3(a)(1) specifically authorizes the Town of Highland, through its Town Council as a local authority with respect to streets and highways under the town's jurisdiction and within the reasonable exercise of the police power to regulate the standing or parking of vehicles; and

WHEREAS, The Highland Town Council has determined that the municipal code requires amendment in order to further perfect the municipality's operation with such amendments being in the best interest of the Town of Highland; and

Whereas, The Town Council believes that modification to the municipal code regarding the meeting time of the Traffic Safety Commission, to be necessary or desirable in the administration of the municipality and of benefit to the public;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Municipal Code be amended by repealing the sections §§ 32.25 through 32.27 in their entirety and replacing them with new, successor sections, to be numbered as § 32.25 through § 32.27, which shall read as follows:

TRAFFIC SAFETY COMMISSION

§ 32.25 CREATION.

There is hereby created and established a commission to be entitled and designated as the Highland Traffic Safety Commission.

§ 32.26 DUTIES AND RESPONSIBILITIES.

The Commission shall be specifically responsible, but not limited to, the following:

- (A) Developing and implementing coordinated traffic safety programs which meet local needs.
- (B) Acting in an advisory capacity to the Town Council in the coordination of traffic safety activities of the official agencies and departments of Highland, establishing safety priorities for the town.
- (C) Reviewing and approving project applications for funding.

(D) Serving in a liaison capacity between the Town of Highland and the ~~Traffic Safety Indiana Criminal Justice Institute, Traffic Safety Division, as well as the Governor's Council on Impaired and Dangerous Driving~~ in developing the state highway safety program and in meeting the National Highway Safety Program Standards.

- (E) Promoting public acceptance of official programs proposed or ~~instigated~~ initiated by the town.
- (F) Fostering public knowledge and support of traffic law enforcement and traffic engineering problems.
- (G) Cooperating with town schools in promoting educational traffic safety aids.
- (H) Educating the public in traffic safety.
- (I) Generally aiding the over-all reduction of traffic accidents, injuries and deaths on the town streets.

§ 32.27 ORGANIZATION OF COMMISSION.

(A) Membership.

(1) The Commission shall consist of no less than six members, consisting of:

- (a) One from Town Council.
- (b) Two from Police Department.
- (c) One from Fire Department.
- (d) One from Department of Public Works.
- (e) One Police Commissioner.

(2) The members of the Commission shall be appointed by the Town Council and shall serve a yearly term, from January 1 through December 31, ~~or~~ and until their successors are appointed and qualified, unless removed from the Commission.

(B) **Ex officio members.** The Commission is hereby authorized to appoint as ex officio members of said Commission any additional members, without voting privileges, by majority vote of the Commission at any meeting where a quorum is present.

(C) **Chairman.** The Chief of Police shall serve as chairman of the Commission. **He may be appointed to the Commission as one of the members to be named from the Metropolitan Police Department. However, he serves as Chairman regardless of his membership on the Commission.**

(D) **Secretary.** The chairman of the Commission shall appoint the secretary of said Commission. It shall be the duty of the secretary to:

- (1) Send all notices for the meetings of said Commission.
- (2) Keep and preserve all minutes.
- (3) Have custody of and keep all documents and papers filed with said Commission.
- (4) Advise and consult with the Town Council and town officials as to the work and recommendations of said Commission.
- (5) Work with said Commission and its sub-committees.
- (6) Work with organized community groups and others to carry forward all plans and policies of the commission as to accident prevention, which may be approved by the Commission.
- (7) Perform such other duties as may be prescribed by said Commission.

(E) **Meetings.** ~~The Commission shall meet on the first Wednesday of every month, starting January 7, 1987. The Commission shall fix the time and dates of its meetings. The Commission is subject to the provisions of IC 5-14-1.5 et seq.~~

(F) **Special meetings.** The Commission chairman may call special meetings at his discretion.

(G) **Quorum.** Majority of members, in attendance, shall constitute a quorum.

Section 2. That should a court find any provision of this ordinance to be unlawful or unenforceable, those provisions not so found shall continue to be in full force and effect;

Section 3. Whereas an emergency exists for the immediate taking effect of this Ordinance, it shall become and be in full force and effect upon passage and from and after the date of its adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 28th day of March 2011. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th Day of March 2011, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Brian J. Novak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Proposed Ordinance No. 1491.1375-Q:** AN ORDINANCE to AMEND the ORDINANCE ADOPTED TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA, particularly, authorizing and establishing A CHANGE IN THE NUMBER OF COMMANDERS AND DEPUTY COMMANDERS THAT MAY BE AUTHORIZED FOR THE METROPOLITAN POLICE DEPARTMENT.

Councilor Kuiper introduced proposed Ordinance No. 1491.1375-Q and moved for its consideration on the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The Ordinance could be considered.

Councilor Kuiper and moved for the adoption of Ordinance No. 1491.1375-Q at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Ordinance was adopted.

**ORDINANCE No. 1491.1375-Q
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND the ORDINANCE ADOPTED TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA, PARTICULARLY, AUTHORIZING AND ESTABLISHING A CHANGE IN THE NUMBER OF COMMANDERS AND DEPUTY COMMANDERS THAT MAY BE AUTHORIZED FOR THE METROPOLITAN POLICE DEPARTMENT.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, previously acted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year ensuing, by passage and adoption of Ordinance No. 1375;

WHEREAS, The Town Council of the Town of Highland has been advised that modification to certain provisions of Ordinance No. 1375, as amended, would be desirable;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to further modify and fix the compensation of its elected officers, appointed officers and employees of the Town for the year and to further perfect the wage and salary ordinance,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby

established and fixed, pursuant to the provisions indicated herein as follows:

Provision 1. That subdivision (c) of Section 10 of Ordinance No. 1375 as amended, be repealed in its entirety and replaced with a new subdivision which shall be identified as subdivision (c) of Section 10, which shall read as follows:

Section 10. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

(c) Other Police Officers and Assignments.

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.

	Starting Rate	Incumbent Rate
Police Officer 1	\$1,974.00	\$1,974.00 bi-weekly
Police Officer 2	\$1,741.02	\$1,741.02 bi-weekly
Police Officer 3	\$1,630.25	\$1,630.25 bi-weekly
Police Officer 4 (no LEA certification)	\$1,476.71	\$1,476.71 bi-weekly

(3) The following represent assignments in the Metropolitan Police Department for which the following salaries are authorized. ~~The authorized number of position depicted in the parentheses is reduced to two (2) upon the assignment of a person to the position of Deputy Commander. At no time shall this ordinance be construed to permit three occupied assignments of Commander simultaneously with an assignment of Deputy Commander.~~ Persons so assigned shall be paid the greater of the assigned person's pay attached to his or her actual service rank or grade or the pay associated with the listed assignments depicted as follows:

Division Commander (3) \$2,313.49 bi-weekly

~~If the position of Deputy Commander is filled, authorized number of Commanders is two (2).~~

Deputy Commander (1) \$2,190.68 bi-weekly

(4) The following rank has been deemed a **trace** rank. Only officers employed in good standing with the Metropolitan Police Department **on or before April 12, 2001** shall be eligible to elevation to the trace rank of Lance Corporal. This trace rank shall be conferred on all Patrol Officers First Class, who meet the date eligibility indicated, who have successfully completed ten (10) years of continuous service with the Highland Metropolitan Police Department and upon approval of the Town Board of Metropolitan Police Commissioners. Officers currently holding such rank will continue to hold such rank until their **promotion** or separation from service with the Metropolitan Police Department at the level of pay set forth in this ordinance. Having separated, an officer having once been eligible to hold the trace rank or having the trace rank at the time of separation shall not be eligible hold such rank if officer is later re-hired unless ordered by a court.

Lance Corporal \$2,021.67 bi-weekly

Provision 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Introduced and Filed on the 28th day of March 2011. Consideration on same meeting of introduction sustained a vote of 5 in Favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 28th Day of March 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

3. **Resolution No. 2011-11:** AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the REDEVELOPMENT CAPITAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

Councilor Zemen moved the passage and adoption of Resolution No. 2011-11. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2011-11**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the REDEVELOPMENT CAPITAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the Redevelopment Capital Fund;

WHEREAS, The Town Council has been advised that the transfer may involve creation and authorization of a major expense category, for which no appropriations were approved in the current budget;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That is has been shown that certain existing unobligated appropriations of the **Redevelopment Capital Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

REDEVELOPMENT CAPITAL FUND

Reduce Account:	#400.00 Option to Purchase	\$80,000.00
	Total 400 Series Reductions	\$80,000.00
Increase Account:	#340.02 EDD Loan Program	\$80,000.00
	Total 300 Series Increases	\$80,000.00
	Total of All Fund Decreases:	\$80,000.00
	Total of All Fund Increases:	\$80,000.00

DULY RESOLVED and ADOPTED this 28th Day of March 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2011-10:** An Order of the Works Board Authorizing Midwestern Electric, Incorporated to Perform the Traffic Signal Annual Inspection and Maintenance for 2011.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2011-10. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2011-10**

An Order of the Works Board Authorizing Midwestern Electric, Incorporated to Perform the Traffic Signal Annual Inspection and Maintenance for 2011

Whereas, The Town of Highland, Department of Public Works, as part of its public duties, has responsibility for the operation and maintenance of traffic signals in the Town of Highland; and

Whereas, Routine annual traffic signal inspections and maintenance is necessary to assure that traffic signals and associated equipment is good working condition for the public's safety and welfare; and

Whereas, Midwestern Electric, Incorporated has provided a proposal to perform the work, attached hereto, at a cost of \$601.89 per intersection and the work includes Conflict Monitor Check, Controller Cabinet and Intersection Inspection, and Annual Re-lamp and Overhead Inspection (w/o Pedestrian Signals); and

Whereas, The Public Works Director, pursuant to §31.19(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(1) of the HMC serves as purchasing agency for the Public Works Department; and

Whereas, The purchase price exceeds \$10,000.00 and, pursuant to §31.18(C) of the HMC requires the express approval of the purchasing agency; and

Whereas, The purchase will be supported by the Motor Vehicle Highway fund and there is sufficient appropriation in order to support the work; and

Whereas, The Town Council now desires to authorize the Public Works Director to complete the work pursuant to the terms stated herein,

Now Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the proposal for Midwestern Electric, Incorporated, attached hereto and made a part of this Resolution, is approved pursuant to the terms contained therein;

Section 2. That the Works Board for the Town of Highland believes that Midwestern Electric, Incorporated has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

Section 3. That the Public Works Director is hereby authorized to issue a purchase order to Midwestern Electric, Incorporated and to execute all documents necessary to implement the work;

Section 4. That the Municipal Fiscal Officer is hereby authorized to expend Motor Vehicle Highway Funds in order to support and implement the work.

Be it So Ordered.

DULY, PASSED AND ADOPTED by the Board of Works of the Town of Highland, Lake County, Indiana this 28th day of March 2011 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2011-11:** An Order Approving and Authorizing the Proper Officer to Enter into a Purchase with CBL Associates for Dell Optiplex 780 Personal Desktop Computers, defining this as a Special Purchase under §31.20(I)(6) & (13) of the Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2011-11. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2011-11**

AN ORDER APPROVING AND AUTHORIZING THE PROPER OFFICER TO ENTER INTO A PURCHASE WITH CBL ASSOCIATES FOR DELL OPTIPLEX 780 PERSONAL DESKTOP COMPUTERS, DEFINING THIS AS A SPECIAL PURCHASE UNDER §31.20(I)(6) & (13) OF THE MUNICIPAL CODE.

Whereas, The Town of Highland Office of Clerk-Treasurer, as part of its public duties, has responsibility for the preservation, maintenance, generation of and public access to certain public records of the Town Legislative Body and of the municipality, except where another office by law is specifically directed to perform this function, and, from time to time, it is necessary to purchase and or lease materials and supplies in order to better carryout the functions of the department; and

Whereas, The Town of Highland, through its several departments, as part of its public duties, utilizes desktops computers as part of carrying out its public services and related duties in the Town of Highland; and

Whereas, The IT Director has determined a need to obtain certain computer equipment and software supplies and has secured a quote from CBL Associates for the purchase of twenty-one (21) Dell Optiplex 780 Desktops Computers at the unit price of \$1,140.00 each, in the total amount of \$23,940.00, representing 9 units for the Police Department and 12 for other departments; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(9) of the HMC serves as purchasing agency for the Office of the Clerk-Treasurer; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(3) of the HMC serves as purchasing agency for the Office of the Clerk-Treasurer and the Metropolitan Police Department; and

Whereas, The amount of the purchase exceeds ten thousand (\$10,000) and, pursuant to §31.18(C) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The Clerk-Treasurer, pursuant to §31.19(D)(10), serves as the Purchasing Agent for the Office of the Clerk-Treasurer and all executive offices or departments; and

Whereas, The single payment will be supported by an approved existing appropriation in the Municipal Cumulative Capital Fund and other lawful funds of the unit; and

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a purchase agreement pursuant to the terms stated herein.

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the proper officer is hereby directed and authorized to purchase **twenty-one (21) Dell Optiplex 780 Desktop Computers** at the **unit price of \$1,140 each**, in the **total amount of \$23,940.00**, according to the standing retention and replacement schedule, to be used in the Office of the Clerk-Treasurer, Public Works, Building and Inspection, Parks and Recreation, Metropolitan Police Department and the Fire Department;

Section 2. That the proper officer is hereby directed and authorized to purchase the forgoing units as a single order of twenty-one (21) Dell Optiplex 780 Desktop Computers at the unit price of \$1,140.00 each, in the total amount of **\$23,940.00** in order to obtain the group discount offered for the total purchase;

Section 3. That the Town Council as Works Board now finds and determines that this purchase is a qualified special purchase as the market structure for these items are based on price but the governmental body is able to receive a dollar or percentage discount of the established price, and there exists a unique opportunity to obtain supplies or services at a substantial savings to the governmental body, all pursuant to Section § 31.20(I) (6) and (I) (13) as well as IC 5-22-10 et sequitur;

Section 4. That the Town Council as Works Board further finds and determines there are sufficient and available appropriations balances on hand to support the purchase to the credit of the Municipal Cumulative Capital Development Fund, pursuant to IC 5-22;

Section 5. That the Clerk-Treasurer is authorized and directed to execute the purchase agreement and any additional documents in order to implement the purchase and licensing.

Be it So Ordered.

Duly, Passed, Adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 28th day of March 2011 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Brian J. Novak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. Clerk-Treasurer to file encumbrances report for from 2010 into 2011. Action to acknowledge the filing and to authorize the reports contents to be included in the minutes of the meeting.

[illegible]

<i>Building Inspection Department</i>		
Personnel Services	\$	3,853.14
Supplies	\$	1,608.27
Other Services & Charges	\$	27,203.69
Capital Outlays	\$	-
Department Total:	\$	32,665.10

<i>Fire Department</i>	
Personnel Services	\$ 1,000,000.00
Supplies	1,000,000.00
Other Services & Charges	100,000.00
Capital Outlays	0
Department Total	\$ 2,000,000.00
<i>Animal Control Police Department</i>	
Personnel Services	\$ 1,000,000.00
Supplies	200,000.00
Other Services & Charges	100,000.00
Capital Outlays	0
Department Total	\$ 1,300,000.00
<i>Municipal or Utility Department</i>	
Personnel Services	\$ 10,000,000.00
Supplies	1,000,000.00
Other Services & Charges	0
Capital Outlays	0
Department Total	\$ 11,000,000.00
<i>Department of Public Works Dept</i>	
Personnel Services	\$ 0
Supplies	0
Other Services & Charges	1,250,000.00
Capital Outlays	0
Department Total	\$ 1,250,000.00
<i>Town Hall and Information Dept</i>	
Personnel Services	\$ 100,000.00
Other Services & Charges	400,000.00
Capital Outlays	0
Department Total	\$ 500,000.00
Fund Total	\$ 5,000,000.00

Redevelopment General Fund:

Personnel Services	\$ 2,594.54
Supplies	\$ 512.99
Other Services & Charges	\$ 9,771.25
Capital Outlays	\$ -
Fund Total:	\$ 12,878.78



Age Group	No opinion	Not a good idea	A good idea	A very good idea	Don't know
18-24	10%	10%	20%	40%	20%
25-34	10%	10%	20%	40%	20%
35-44	10%	10%	20%	40%	20%
45-54	10%	10%	20%	40%	20%
55-64	10%	10%	20%	40%	20%
65+	10%	10%	20%	40%	20%

[illegible][illegible]

1. The Highland Town Council shall have the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

RESOLUTION NO. 10-11
WHEREAS, the Highland Town Council of the County of Highland, New York, has the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

RESOLUTION NO. 11-11
WHEREAS, the Highland Town Council of the County of Highland, New York, has the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

RESOLUTION NO. 12-11
WHEREAS, the Highland Town Council of the County of Highland, New York, has the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

RESOLUTION NO. 13-11
WHEREAS, the Highland Town Council of the County of Highland, New York, has the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

RESOLUTION NO. 14-11
WHEREAS, the Highland Town Council of the County of Highland, New York, has the honor to receive the following resolution from the Highland Town Council of the County of Highland, New York, passed on March 28, 2011:

Soil Remediation Fund

Personnel Services	\$	-
Supplies	\$	3,577.00
Other Services & Charges	\$	-
Capital Outlays	\$	1,518,177
Fund Total	\$	1,521,754

Sanitary District Operating Fund

Personnel Services	\$	-
Supplies	\$	2,000,000.00
Other Services & Charges	\$	2,000,000.00
Fund Total	\$	4,000,000.00

Sanitary District Capital Fund

Personnel Services	\$	-
Supplies	\$	1,000,000.00
Other Services & Charges	\$	2,000,000.00
Fund Total	\$	3,000,000.00
Grand Total Available Funds	\$	8,521,754

Anticipated FY 2011 Budget

Sanitary District Operating & Capital Funds

Personnel Services	\$	2,071,000
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total	\$	2,071,000

Sanitary District Capital Fund

Personnel Services	\$	-
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	313,930.67
Fund Total	\$	313,930.67

Sewage Works Operating Fund

Personnel Services	\$	14,076.73
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total	\$	14,076.73

Sewage Works Improvement Fund

Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	533.08
Fund Total	\$	533.08

Water Works Operating Fund		
Personnel Services	\$	16,097.20
Supplies	\$	-
Other Services & Charges	\$	-
Capital Outlays	\$	-
Fund Total	\$	16,097.20
Water Works Improvement Fund		
Supplies	\$	-
Other Services & Charges	\$	70,300.66
Capital Outlays	\$	43,236.00
Fund Total	\$	113,536.66
Total All Enterprise Utility Funds	\$	129,633.86

7. Action to authorize the proper officer to publish legal notice of a public hearing for proposed additional appropriations in excess of the 2011 Budget for the Metropolitan Police Department of the Corporation General Fund, in the amount of **\$37,534.03**, taking insurance proceeds but using them for gasoline costs. Councilor Herak moved to authorize the publication of legal notice of a public hearing regarding proposed additional appropriations as described. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The notice was authorized for publication.

Comments from the Town Council Members

(For the Good of the Order)

- **Councilor Bernie Zemen:** • *Park and Recreation Board Liaison Lake County Solid Waste Management District Board of Directors • President's designee to Chair the Select Centennial Commission • Chamber of Commerce, Liaison • Redevelopment Commission Liaison.*

Councilor Zemen recognized the Parks and Recreation Superintendent who reported on the progress of the Lincoln Center Reconstruction Project.

- **Councilor Mark Herak:** *Budget Committee Chair • Board of Sanitary Commissioners, Liaison • Board of Waterworks Directors, Liaison • Community Events Commission, Liaison.*

Councilor Herak recognized the Public Works Director who reported that there were still 65 meters remaining to convert to radio reading capacity. He further noted that the Board of Sanitary Commissioners would be meeting at the Bradley Pump Station to begin a site tour and then convene for a study session.

It was further reported that the Parrish Avenue Project had the water main installed.

- **Councilor Dan Vassar:** • *Plan Commission member.*

Councilor Vassar recognized the Building Commissioner who offered a cursory survey of matters before the Plan Commission, particularly briefing about the progress of Meijer's and its development of part of its outlot.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Plan Commission member* • *Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Kuiper recognized the Fire Chief who reported briefly on a joint training scheduled with Griffith, Highland and Munster to review tools and tactics associated with a possible flood incident associated with the Little Calumet River.

- **Council President Brian Novak:** • *Town Executive* • *Police Pension Board of Trustees Chair* • *Advisory Board of Zoning Appeals, Liaison* • *Traffic Safety Commission Member.*

The Town Council President that he conducted a walk-through tour of the Lincoln Center Reconstruction Project.

Comments from the Public or Visitors

1. Mr. Ted Oberc, 2704 Lincoln Street, Highland, reported that he had called in about two (2) potholes at the south west corner of the intersection of Kennedy Avenue and Lincoln as well as at Clough and Second Street. He further noted that his initial call was three week previous, and he had followed up. He further noted that the pot holes were still not repaired.

Mr. Oberc further inquired about the status of a repair to the roadway approach on the 2300 block Lincoln Street and the Railroad crossing there.

The Public Works Director indicated that he would follow-up on these matters.

2. With leave from the Town Council, a colloquy ensued between and among the Town Council and the Metropolitan Police Chief regarding the law enforcement measures applied to stopped trains that block the right of way.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period March 15, 2011 through to March 28, 2011 as well as the Payroll Docket of March 11, 2011. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll were allowed and the clerk-treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$378,358.23; Motor Vehicle Highway and Street (MVH) Fund, \$21,120.84; Law Enforcement Cont. Education and Supply Fund, \$3,311.10; Insurance Premium Fund, \$227,547.47; Information and Communications Technology Fund, \$6,294.46; Civil Donation Fund, \$1,200.91; Special Events Non Reverting Fund, \$306.00; Police Pension Fund, \$58,310.24; Traffic and Law Violations Agency Fund, \$8,522.00; Sexual Predator Grant Fund, \$3,600.00; Gaming Revenue Sharing Fund, \$35,312.30; Total: \$743,883.55.

March 11 Payroll Payable Docket:

Office of the Clerk-Treasurer, \$12,489.77; Metropolitan Police Department: \$98,229.24; Building and Inspection: \$6,731.12; Public Works Department (Agency), \$52,893.47; Fire Department, \$52,893.47; Social Security, \$39,956.88; Subtotal Payroll: \$172,975.58; Grand Total: \$212,932.46.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion

passed. The regular meeting of the Town Council of Monday, March 28, 2011 was adjourned at 7:43 O'clock p.m. A study session followed.

Adjournment. There being no further business to be discussed by the Town Council, the study session of the Town Council, immediately following the plenary meeting of **Monday, March 28, 2011**, was adjourned at 8:40 o'clock p.m. There was no study session following the meeting.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer